

state of Mississippi. (See Plaintiff's Response to Defendant's Requests to Admit attached hereto as Exhibit B).

4. At the time the Complaint was filed, at the time this Notice of Removal was filed, and at all other relevant times, Defendant, HALL FARMS TRUCKING, was incorporated in the State of Wisconsin and had its principle place of business in the State of Wisconsin. (See Corporate Business Record and Business Registration attached hereto as Exhibit C).

5. Complete diversity of citizenship exists because, Plaintiff, EUGENE EVANS, is not a citizen of the same state as the defendant. *Caterpillar Inc. v. Lewis*, 519 U.S. 61, 117 S.Ct. 467, 136 L.Ed.2d 537 (1996). Accordingly, the District Court has original jurisdiction pursuant to 28 U.S.C. § 1332.

6. Plaintiff, EUGENE EVANS' alleged damages in this case total an amount greater than the \$75,000.00 requirement. (See Exhibit B).

7. Because the amount in controversy in this civil action exceeds \$75,000.00, exclusive of interests and costs, and because this action is between citizens of different states, the District Court has original jurisdiction over this claim under 28 U.S.C. § 1332(a)(1).

8. This Notice of Removal is being filed within thirty days after receipt by this defendant of a copy of Plaintiff's Responses to Defendant's Requests to Admit, received December 1, 2008, from which it was first be ascertained that the case is one which is or has become removable. 28 U.S.C. § 1446(b). See Exhibit B.

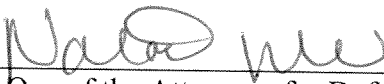
9. As this case is currently pending in the Circuit Court of the Thirteenth Judicial Circuit of Grundy County, Illinois, it may be removed to the Federal District Court for

the Northern District of Illinois. 28 U.S.C. § 1441(a).

WHEREFORE, Defendant, HALL FARMS TRUCKING petitions this Court to remove this action from the Circuit Court of the Thirteenth Judicial Circuit of Grundy County, Illinois, under 28 U.S.C. §§ 1332, 1441 and 1446.

Respectfully Submitted,

SEGAL McCAMBRIDGE SINGER & MAHONEY, LTD.

By: 
One of the Attorneys for Defendant
HALL FARMS TRUCKING

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